

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

FEB 01 2011

Stephan Harris, Clerk
Casper

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

William F. Downes, Chief, U.S. District Judge

Tiffany Dyer, Deputy Clerk
Jamie Hendrich, Court Reporter
Ryan Day, Law Clerk

February 1, 2011
Casper, Wyoming

Case No. 10CR119-22--D United States of America v Armando Cervantes

UNITED STATES OF AMERICA,

Plaintiff,

Plaintiff's Attorney:
Stephanie Sprecher
Tina Trimble DCI Special Agent
Lisa Wait (Paralegal)

v.

ARMANDO CERVANTES,
Defendant.

Defendant's Attorney:
Cindi Wood

**COURTROOM MINUTES
JURY TRIAL
DAY III**

8:17 am Court in session; same participants present; Jury not present; The Court advised Counsel that jury instructions discussed in Chambers previously off the record along with preliminary instructions would be given to the Jury; the Court heard objection from Defense Counsel as to instructions. Further, Defense Counsel advised the Court that she has requested a copy of the Defendant's driver's license from the Government and has not received it as it has to be ordered by the Court; So Ordered; copy received in open Court.

8:23 am Jury brought in to open Court - Preliminary Instructions along with one additional jury instruction given to the Jury by the Court

8:35 am **Opening Statement by AUSA Stephanie Sprecher, Counsel for the Government**

8:50 am **Opening Statement by Cindi Wood, Counsel for the Defendant Armando Cervantes**

9:04 am **Direct Examination of Zachary Winter, Evansville, WY, Division of Criminal Investigation, Casper WY, Drug Task Force, by AUSA Stephanie Sprecher, Counsel for the Government;** Governments Exhibits 200A, B, 201A,B,C, 202D, E, A, B, C, 203A,B,C, D, E, F, G, H, I and 204 A, 205A, B, 206A, 207A, B, C, D, 208, A, B, C, D, 209A offered to the witness for identification; Government's Exhibits 100 and 101 offered to the witness for identification; Government's Exhibit 700 offered to the witness for identification; Objection heard by Defense Counsel and over ruled by the Court; Exhibit received and published to the Court and Jury; Government's Exhibit 300 offered to the witness for identification; marked and admitted; objection heard from Defense Counsel and over ruled by the Court

10:15 am Break (15 minutes)

10:39 am Court in session; same participants and Jury present; **Cross Examination of DCI Special Agent Zachary Winter by Cindi Wood, Counsel for the Defendant Armando Cervantes;** affidavit executed on 4/8/2010 in support of application; page 19 {paragraph 44}given to the witness for recollection purposes; affidavit executed on 4/30/2010 in support of application; page 12 {paragraphs 26 and 27} given to the witness for recollection purposes and used during testimony

11:30 am Court in recess for lunch break

12:23 pm Court in session; same participants and Jury present; **Cross Examination of DCI Special Agent Zachary Winter continued by Cindi Wood, Counsel for the Defendant Armando Cervantes;** Report prepared by witness executed 8/2/2010 offered to the witness for recollection and used during testimony

12:50 pm **Redirect Examination of Zachary Winter, Evansville, WY, Division of Criminal Investigation, Casper WY, Drug Task Force, by AUSA Stephanie Sprecher, Counsel for the Government;** Government's Exhibits 301A-M offered to the witness for identification purposes; Exhibits D and E offered and admitted; Exhibit 300 (already admitted) used during testimony; Government Exhibit 800 offered to the witness for identification purposes and conditionally received by the Court; Government Exhibit 203A offered to the witness for identification and used during testimony; Government's Exhibit 500A offered to the witness for identification; objection heard by the defense and conditionally received by the Court and published to the Court and Jury; Government's Exhibit 203A received by the Court and published to the Court and Jury

1:21 pm **Recross Examination of Zachary Winter, Evansville, WY, Division of Criminal Investigation, Casper WY, Drug Task Force, by Cindi Wood, Counsel for the Defendant Armando Cervantes**

1:34 pm Court in Recess

1:50 pm Court in session; same participants and Jury present; **Direct Examination of William Brooks Breeden by AUSA Stephanie Sprecher, Counsel for the Government;** Government's Exhibits 601 and 601A offered to the witness for identification; marked and admitted; Government's Exhibits 300, 302 and 303 offered to the witness for identification; Exhibits 302 and 303 marked and admitted; Government's Exhibit 200A (CD call 2164 on 4/9/2010) offered to the witness for identification; marked and admitted and played for the Court and Jury.

2:42 pm The Court excused the Jury until tomorrow, February 2, 2011 at 9:00 am